

Attachment to Independent Case Review Report
For CDRU #253 Case file #95-271023.

Material Examiner: Malone (RO)

Remarks:

Case resulted in a trial, transcript available.

CRM - 7351

INDEPENDENT CASE REVIEW REPORT

Independent Review conducted by: David W. Hall

Area(s) of Expertise: Forensic Botany

Review commenced at: 9:20 AM (Time), 22 Sept. 04 (Date)

File #: 95-271023

Laboratory #(s): 60911045 SRR

Examiner(s) & Symbols

	Reviewed	Not Reviewed		Reviewed	Not Reviewed
<u>Malone (RR)</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

Materials Reviewed

Trial testimony transcript(s) of: Michael P. Malone

Testimony Date(s): _____ Pages: 86-120

Laboratory Report(s):

Laboratory Number: 60911045 SRR Date: 29 Oct. 1986

Laboratory Number: _____ Date: _____

Laboratory Number: _____ Date: _____

Examiner Bench Notes of: _____

Laboratory Number: _____

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Initials: DWH

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Was any other material reviewed? ☐ Yes ☒ No

If yes, please identify and/or describe the material: _____

Results of Review

File #: 95-271023

Item or Specimen # Reviewed: _____

Review of Laboratory Report(s) and Bench Notes:

Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses

- 1) Did the examiner perform the appropriate tests in a scientifically acceptable manner, based on the methods, protocols, and analytic techniques available at the time of the original examination(s)?
☐ Yes ☒ No ☐ Unable to Determine
- 2) Are the examination results set forth in the laboratory report(s) supported and adequately documented in the bench notes?
☒ Yes ☐ No ☐ Unable to Determine

Review of Testimony:

Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses

☐ Transcript not available.

- 3) Testimony consistent with the laboratory report(s)? ☒ Yes ☐ No ☐ Unable to Determine
- 4) Testimony consistent with the bench notes? ☒ Yes ☐ No ☐ Unable to Determine
- 5) Testimony within bounds of examiner's expertise? ☐ Yes ☒ No ☐ Unable to Determine

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Initials: JW

Comments

(Set forth by above question #, if applicable.
Use "Additional Comments" Sheet, if needed)

File #: 95-271023

541) Examiner obviously does not have the expertise to determine the identification, diseases, or nutritional levels, or management of these grasses. Many such experts are available. The Botany Dept. of the Smithsonian would not have such expertise.

1. ~~542~~ Plant material notes do not mention numbers of specimens in each sample or condition of samples or the container in which B3 + B4 were sent.

Review completed at:

10:00 AM (Time),

27 Sept. 2004

(Date)

Total time spent conducting review (to nearest 1/4 hour):

0.75 hr

I hereby certify that I conducted this review in an independent, unbiased manner and that the results of my review are fully documented on this report consisting of a total of 43 pages.

Walter W. Hall

(Signature)

27 Sept. 2004

(Date)